

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CLAUDIO D. & DALINDA	§	
ANDRADE,	§	
Plaintiffs,	§	
	§	
v.	§	Civil Action No. 3:14-CV-3969-K
	§	
COUNTRYWIDE KB HOME LOANS,	§	
MORTGAGE ELECTRONIC	§	
REGISTRATION SERVICES, INC.;	§	
G. TOMMY BASTIAN, et al.,	§	
RECONTRUST COMPANY, NA,	§	
BANK OF AMERICA, NA,	§	
COUNTRYWIDE HOME LOANS,	§	
INC., THE BANK OF NEW YORK	§	
MELLON, COLFIN AI-TX	§	
I, LLC, and DOES 1-X,	§	
Defendants.	§	

ORDER OF THE COURT ON RECOMMENDATION REGARDING
REQUEST TO PROCEED IN FORMA PAUPERIS ON APPEAL

Considering the record in this case and the recommendation of the Magistrate Judge, the Court hereby finds and orders:

- () The motion for leave to proceed *in forma pauperis* on appeal is GRANTED.
- (X) The motion for leave to proceed *in forma pauperis* on appeal is DENIED for the following reasons:
 - (X) Plaintiffs are not paupers. A review of the financial information provided by plaintiffs shows a total monthly income of \$7,524.00 and total monthly expenses of approximately \$6,205.00. Given this financial information showing monthly income exceeding monthly expenses by \$1,319.00, the Court concludes that plaintiffs will not suffer undue financial hardship after payment of the \$505.00 filing fee. *See Prows v. Kastner*, 842 F.2d 138, 140 (5th Cir. 1988).

Although this Court has denied leave to proceed *in forma pauperis* on appeal, plaintiffs may challenge the denial by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within thirty days after service of the notice required by Fed. R. App. P. 24(a)(4). *See* Fed. R. App. P. 24(a)(5).

SO ORDERED.

Signed April 11th, 2016.

A handwritten signature in black ink, reading "Ed Kinkeade", written in a cursive style.

ED KINKEADE

UNITED STATES DISTRICT JUDGE